

REMARKS

This application has been carefully reviewed in light of the Office Action dated October 13, 2005. Claims 1 to 3 remain pending in the application, of which Claim 1 is still the only independent claim. Reconsideration and further examination are respectfully requested.

Claims 3 was rejected under 35 U.S.C. § 112, second paragraph for a typographical error contained in the preamble portion of the claim. The term "key" included in the preamble has been deleted from the claim. As such, withdrawal of the § 112, rejection is respectfully requested.

Claims 1 to 3 were rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter based on the claimed invention allegedly not being within the technological arts. The rejections are traversed.

In this regard, the Office Action based the rejection on a two-prong test involving: "(1) whether the invention is within the technological arts; and (2) whether the invention produces a useful, concrete and tangible result." The Office Action admits that the claimed method produces a useful, concrete and tangible result (prong (2)), but asserts that the invention, as a whole, is not within the technological arts. In traversal of this assertion, Applicant wishes to direct the Examiner's attention to Ex Parte Lundgren, Appeal No. 2003-2088, USPTO PBAI, 2005, in which the Patent and Trademark Office Board of Patent Appeals and Interferences recently struck down the PTO's "technological arts" test. Accordingly, inasmuch as the rejection is based solely on a "technological arts"

test, the § 101 rejections are traversed and the Examiner is requested to withdraw the rejections.

Nonetheless, the claims have been amended to make it even more explicit that, as those skilled in the art would already have recognized, the steps used in performing the method are executed by a combination of a computer of a user, a computer of a sales company, and a computer of a credit company. As such, even if the Office's technological arts test were viable, the claims would meet such a test.

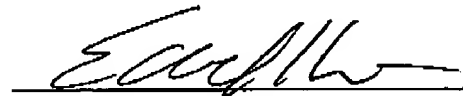
FOURTH REQUEST
FOR ACKNOWLEDGMENT
OF RECEIPT OF THE CERTIFIED COPY OF
APPLICANT'S JAPANESE PRIORITY DOCUMENT

It is again respectfully requested that the Examiner provide, in the next Communication from the USPTO, an indication that the Office has received the certified copy of Applicant's Japanese priority document, which was filed in the Patent Office on December 12, 2001. This is a fourth request and none of Applicant's previous three requests have been addressed.

No other matters having been raised, the entire application is believed to be in condition for allowance and such action is respectfully requested at the Examiner's earliest convenience.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



Attorney for Applicant
Edward A. Kmett
Registration No. 42,746

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-2200
Facsimile: (212) 218-2200

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